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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/506,892

09/07/2004

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EXAMINER

MIKELS, MATTHEW

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/506,892	Applicant(s) SAKAMAKI ET AL.	
	Examiner MATTHEW MIKELS	Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-8,34,37,42,45 and 46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-8,34,37,42,45 and 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/21/09</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Acknowledgement is made of applicant's response and amendment dated 7/13/10, and it has been entered. Claims 1, 4-8, 34, 37, 42, and 45-46 remain. Claims 2-3 were cancelled, and claims 9-33, 35-36, 38-41, 43-44, and 47-49 were previously withdrawn from consideration.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-8, 42, and 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore (previously cited) in view of Koyanagi, et al. (US 2002/0074407, herein Koyanagi).

Regarding claims 1, 4, 42 and 45, Moore teaches a unit and method for receiving contents and a contents code corresponding to the contents (column 3, lines 2-10);

a storage unit (10) which stores the contents and the contents code (column 3, lines 64-65: the database 10);

a code reading unit which reads the contents code from a paper-type display medium on which the contents code is recorded (column 3, lines 21-23); and

a control unit (column 3, line 24: the processor) which obtains the contents corresponding to the contents code read by the code reading unit from the storage unit and displays the contents on the paper-type display medium (column 3, lines 28-32);

wherein the control unit records a code (16) indicating a times-of-use, which is a number of times the contents are displayed on the paper-type display medium, on the paper-type display medium (column 4, lines 2-3: the activity summary 16 serves to report the times of use).

Moore does not teach the code indicating a limited times-of-use from the paper-type display medium and a unit that reads the times-of-use from the paper-type display medium, and

wherein the control unit displays the contents on the paper-type display medium when the times-of-use is smaller than the limited times-of-use.

Koyanagi teaches the code indicating a limited times-of-use from the paper-type display medium and a unit that reads the times-of-use from the paper-type display medium, and

wherein the control unit displays the contents on the paper-type display medium when the times-of-use is smaller than the limited times-of-use (paragraph 0048: the threshold serves as a limited times-of-use).

It would have been obvious to one having ordinary skill in the art at the time of invention to add the limited times of use detection of Koyanagi to the device of Moore, so that the device of Moore only displays the contents when the times of use is less than a number and outputs the number to the paper like display of Moore, because having a maximum number of reads can ensure that the system is not stuck and working properly at a certain point in the reading and also can ensure security of the system.

Regarding claim 5, Moore further teaches a list (24) presenting unit which presents a list of information (24) related to a plurality of contents corresponding to the contents code read by the code reading unit (column 4, lines 38-43); and

a unit (22) which displays the contents selected from the list by a user on the paper type display medium (column 4, lines 37-38).

Regarding claim 6, Moore further teaches the paper-type display medium comprising a contents display portion in which the contents are displayed, and an invariable code recording portion in which the contents code is recorded in an unalterable state (column 3, lines 2-10: a printed barcode is unalterable).

Regarding claim 7, Moore further teaches the paper-type display medium comprising a contents display portion in which the contents are displayed, an invariable code recording portion in which the contents code and a code indicating the limited times-of-use in an unalterable state (column 3, lines 4-5), and a variable code recording portion in which a code indicating the times-of-use in an alterable state (column 3, lines 17-20: further action alters the mark or code).

Regarding claim 8, Moore further teaches characteristic information of the paper type display medium being recorded in the invariable code recording portion (column 3, lines 53-55).

Regarding claim 34, Moore teaches a contents receiving unit which receives contents (column 3, lines 2-10);

a contents storing unit which stores the contents (column 3, lines 64-65);

a contents code reading unit which reads a contents code and an attribute code

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from a paper-type display medium on which the contents code and the attribute code are recorded (column 3, lines 21-23);

a contents obtaining unit which obtains the contents corresponding to the contents code and the attribute code read by the contents code reading unit from the contents storing unit (10) (column 3, lines 21-23); and

a control unit which displays the contents obtained by the contents obtaining unit on the paper-type display medium (column 3, line 24: the processor).

Moore does not teach the code indicating a limited times-of-use from the paper-type display medium and a unit that reads the times-of-use from the paper-type display medium, and

wherein the control unit displays the contents on the paper-type display medium when the times-of-use is smaller than the limited times-of-use.

Koyanagi teaches the code indicating a limited times-of-use from the paper-type display medium and a unit that reads the times-of-use from the paper-type display medium, and

wherein the control unit displays the contents on the paper-type display medium when the times-of-use is smaller than the limited times-of-use (paragraph 0048: the threshold serves as a limited times-of-use).

It would have been obvious to one having ordinary skill in the art at the time of invention to add the limited times of use detection of Koyanagi to the device of Moore, so that the device of Moore only displays the contents when the times of use is less than a number and outputs the number to the paper like display of Moore, because

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having a maximum number of reads can ensure that the system is not stuck and working properly at a certain point in the reading and also can ensure security of the system.

Regarding claim 46, Moore further teaches a step which assigns a contents code corresponding to the contents (column 3, lines 2-6: the machine readable code serves as the contents code); and

a step which applies the contents code to the paper-type display medium (column 3, lines 1-2: the substrate serves as the paper type display medium, see column 4, lines 7-12: documents are paper type display media).

4. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of Koyanagi as applied to claim 34 above, and further in view of Davis (previously cited).

Regarding claim 37, Moore in view of Koyanagi teaches the system of claim 34, including the contents, contents receiving unit, and contents storing unit, as discussed above.

Moore in view of Koyanagi does not teach the contents being a program and the receiving unit and contents storing unit being digital broadcasting receivers.

Davis teaches the contents being a program (columns 4-5, lines 66-67 and 1-12: the machine instructions serve as a program) and components of the system being digital broadcast receivers (column 20, lines 15-42: the network components receives and send signals via the digital network, so they serve as digital broadcast receivers).

It would have been obvious to one having ordinary skill in the art at the time of

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invention to add the machine instructions (program) and network components (digital broadcast receivers) of Davis to the system of Moore in view of Koyanagi, because having machine instructions (program) of Davis allows for more robust features in the system, and adding the network components (digital broadcast receivers) allows the system to be deployed in more areas, since the components do not need to be near one another.

Response to Amendment

5. Applicant's amendment cancelling claims 2 & 3 and incorporating the limitations from claims 2 & 3 into independent claims 1, 34, 42, and 45 necessitated a new search, the new grounds of rejection (see above), and the finality of this Office Action.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 4-8, 34, 37, 42, and 45-46 have been considered but are moot in view of the new ground(s) of rejection, as discussed above.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW MIKELS whose telephone number is (571)270-5470. The examiner can normally be reached on Monday to Friday, 7AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/M. M./

Examiner, Art Unit 2876

/Michael G Lee/

Supervisory Patent Examiner, Art Unit 2876